

REMARKS

Applicants note the requirement for Formal Drawings as indicated in the Office Action of July 9, 2003. Applicants are submitting Formal Drawings with the present Amendment under cover of a separate "Submission of Formal Drawings".

In the Office Action of July 9, 2003, claims 1 and 6-8 were rejected under 35 U.S.C. §102 (b) as being anticipated by Lloyd (EP 0302382 A1).

Further, claims 1, 2, 4, and 6-8 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Lloyd in view of Young (U.S. Patent No. 5,642,835).

Additionally, claims 1, 4, and 5-8 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Lloyd in view of Everhart (U.S. Patent No. 5,389,202).

Claims 1 and 4-8 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Lloyd in view of Cook (U.S. Patent No. 5,242,057).

Also, claims 1, 3, 4, and 6-8 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Lloyd in view of Dwiggins (U.S. Patent No. 6,033,761).

Applicants respectfully submit that amended claim 1 is not anticipated by Lloyd. Lloyd does not disclose a napkin assembly that has a first and second napkin sheet each having a plurality of folds where all of the folds are parallel to one another and to a plurality of tabs in each napkin sheet which connect a plurality of napkins in each napkin sheet. Support for this amendment may be found in at least Fig. 1 of the drawings and related discussion which shows all of the folds 140a, 140b parallel to a plurality of tabs 124.

Lloyd is directed towards a tissue carton that has sheets to be removed which are less likely to be torn as they are dispensed, and which provide for additional flexibility in the design of the tissue carton (see Lloyd at page 2, lines 14 and 15). The tissue configuration of Lloyd is

said to be advantageous over conventional tissue configurations in that the Lloyd configuration provides for at least double the amount of tissue in the same sized carton as compared to conventional configurations (see Lloyd at page 2, lines 33-36). In order to accomplish the desired resistance to tearing and space savings, the tissues of Lloyd have a longitudinal folding line 22 parallel to the machine direction of the tissue sheet (see Lloyd at page 3, line 39; and Fig. 2). Additionally, the tissue sheets of Lloyd are provided with an interfolding line 32 that is perpendicular to the folding line 22 (C 39-41; and Fig. 2). It is therefore the case that Lloyd specifically teaches towards a tissue sheet configuration where the sheet has folds that are perpendicular to one another (see also claims 1 and 5 of Lloyd).

In particular, the folding line 22 is formed in the second stage 20 of the process (see Lloyd at page 3, lines 37-38). The folding line 22 is parallel to the machine direction of the tissue web 11, and is perpendicular to the perforations 12 which define the length of the individual tissue sheets within the web 11 (see Fig. 2 of Lloyd). The web 11 is therefore initially folded parallel to the machine direction of the web 11 one or more times as is necessary in order to increase the tensile strength of the tissue in the machine direction (see Lloyd at page 3, lines 41-52). Therefore, it is always the case that Lloyd discloses a folding line 22 that is perpendicular to the lines of perforation 12, since the sheet 11 of Lloyd is always provided with the folding line 22 from the second stage on. As such, the “intermediate product” of Lloyd is provided with a fold 22 that is perpendicular to lines of perforation 12 within the sheet 11.

In stark contrast, claim 1 of the present application calls for a first and second napkin sheet which each have a plurality of folds where all of the folds are parallel to one another and are parallel to a plurality of tabs that connect adjacent napkins in each napkin sheet. Not only is this structure not disclosed in Lloyd, it is exactly opposite from the teachings in Lloyd which

specifically call for a fold line 22 that is parallel to the machine direction of the sheet 11 and perpendicular to the lines of perforation 12. Therefore, Applicants respectfully submit that claim 1 defines over Lloyd.

As stated, claims 1, 2, 4, and 6-8 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Lloyd in view of Young. Specifically, Young was cited against claim 2 for disclosing a first member integrally formed with a second member.

Applicants submit that claim 1 defines over the combination of Lloyd and Young. Young discloses a plurality of ribbons that are overlapped in side by side relationship, folded into a stack of interleaved ribbons, and then cut into blocks of individual interleaved sheets (see Young at column 7, lines 53-56). It would not have been obvious to one skilled in the art to take the interleaved sheets of Young and incorporate these sheets into Lloyd because doing so would produce a resulting sheet configuration that does not have a fold parallel to the machine direction of the sheet and perpendicular to a line of perforation 12, as explicitly taught by Lloyd. Young discloses separate overlapping ribbons, whereas Lloyd discloses one or more folds that are perpendicular to lines of perforations. Removing the perpendicular folds and substituting them with the overlapping ribbons of Young would produce a design that is explicitly disfavored in the teachings of Lloyd. As such, this combination of references would not be obvious to one skilled in the art. Therefore, Applicants respectfully submit that claim 1 defines over the combination of Lloyd and Young.

As stated, claims 1, 4, and 5-8 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Lloyd in view of Everhart. Everhart was applied, particularly to claim 5, for disclosing napkins that are comprised of pulp fibers. Respectfully, Applicants submit that claim 1 defines over the combination of Lloyd and Everhart for essentially the same reasons as

discussed above with respect to Lloyd.

As stated, claims 1 and 4-8 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Lloyd in view of Cook. Cook discloses a toilet seat cover 200 that has longitudinally extending fold lines 220 and laterally extending fold lines 230 (see Cook at column 9, lines 42-43; and Fig. 7). As such, the fold lines in Cook are perpendicular, as are the fold lines in Lloyd which are perpendicular to other fold lines and also to lines of perforation. Therefore, if one skilled in the art were to combine these references, the resulting design would be a tissue sheet configuration that has perpendicular fold lines and folds that are perpendicular to lines of perforation. As such, both references teach towards perpendicular fold lines, and teach away from a first napkin sheet with a plurality of folds that are all parallel to one another and to a plurality of tabs, and a second napkin sheet with a plurality of folds that are all parallel to one another and to a plurality of tabs. As such, it would not have been obvious to one skilled in the art to modify Lloyd in view of Cook in order to arrive at Applicants' invention as claimed in claim 1 because both references teach towards perpendicular fold lines. As such, Applicants respectfully submit that claim 1 defines over the combination of Lloyd and Cook.

Also as stated in the Office Action, claims 1, 3, 4, and 6-8 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Lloyd in view of Dwiggins. Specifically, Dwiggins was cited for the proposition of disclosing a stack of 500 napkins. Applicants respectfully submit that claim 1 is patentable over the combination of Lloyd and Dwiggins in that a combination of these references does not disclose a napkin assembly with a first napkin sheet that has a plurality of folds where all of the folds are parallel to one another and to a plurality of tabs, and a second napkin sheet that has a plurality of folds where all of the folds are parallel to one another and to a plurality of tabs. Again, it would not have been obvious for one skilled in the art to provide such

a napkin assembly in view of Lloyd and Dwiggins because Lloyd specifically teaches towards perpendicular fold lines and folds that are perpendicular to lines of perforations, and removing this feature from Lloyd would produce a resulting design that goes completely against the entire purpose of Lloyd. Such a modification of Lloyd is unobvious to one skilled in the art, and Applicants respectfully submit that claim 1 defines over the combination of Lloyd and Dwiggins.


Therefore, Applicants respectfully submit that claim 1 is in proper condition for allowance and that all claims which depend directly or indirectly from claim 1 are also in condition for allowance (2-8). Their rejections being made moot due to the allowance of claim 1.

Applicants respectfully submit that all pending claims are in condition for allowance. Favorable action thereon is respectfully requested.

The Examiner is encouraged to contact the undersigned at his convenience to resolve any remaining issues, and Applicants' attorney welcomes the Examiner's recommendations in order to solve any such issues.

Respectfully submitted,

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